

West Bank Homeowners Association

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July 13, 2010

Supervisor John Benoit, Fourth District
Riverside County Supervisor
260 North Broadway
Blythe, California 92225

RE: Colorado River Disputed Area
Riverside County Sheriff

Dear Supervisor Benoit:

Please find enclosed a letter to your predecessor, Roy Wilson, of February of 2004. That communication outlines the difficulty that our membership was experiencing with the lack of clear policy by the Riverside County Sheriff (RCS). Since that time, the situation has become much worse, especially in the last month. For context, please note that our membership have properties on the Colorado River north of Blythe, CA. This 17-mile stretch of river front is referred to as the disputed lands by the U.S. Supreme Court in *AZ v. CA*. For further information on our membership and the history of the dispute, I refer you to our website listed below.

We humbly request your assistance with the Riverside County Sheriff. It has become clear in the past two months that the sheriff is unwilling to protect property rights of our membership. That in combination with the Colorado River Indian Tribes (CRIT) recent actions on our membership is creating an environment that left unchecked is sure to bring unwanted consequences. We are hopeful that you will be able to intervene to put pressure on the sheriff to afford your constituents proper police protection from those that regard themselves as immune from California laws as an independent sovereign.

In *AZ v. CA*, the state of California argued that the boundary of the CRIT reservation below Riverside Mountain is riparian. That argument was confirmed in *Arizona I* by Special Master Rifkind, and also by Special Master McGarr in *Arizona III*. The Supreme Court ruled in *Aranson* that indeed the western boundary in this region was riparian in a suit CRIT filed to regain lands lost to avulsive actions. Although the 1999 *AZ v CA* agreement sidestepped the issue of boundary, California preserved its right to adjudicate the matter in the future. Clearly, California recognizes the disputed lands as outside the boundary of the Colorado River Indian Tribes.

On May 27, 2010, employees of CRIT posted trespass notices on approximately 25 mobile homes in the area. The notices included instructions to contact CRIT's attorney to discuss signing new leases, back rent owed, and threats of monetary judgments. Those residents were given until June 30 to contact the tribes' attorney. On June 24, CRIT police and Fish & Game personnel confiscated a boat and trailer belonging to one of our members, Mr. Ron Jones. Jones subsequently attempted to file a complaint with RCS. Although RCS agreed to file a report, the report was listed as a "civil" matter. RCS personnel explained to Mr. Jones that RCS was aware of the boat being confiscated and suggested that he contact the tribes to retrieve his boat. Mr. Jones is particularly sensitive to tribal members stealing his property as he was the target of a burglary by the tribes in 1995. At that time, the sheriff assisted in getting Mr. Jones personal property retrieved from the reservation after some amount of time, but no charges were filed against tribal members.

Mr. Jones contacted the tribes regarding his boat and ultimately had two meetings with the tribal attorneys. Although the purpose of the meeting was to arrange for the retrieval of the boat, the CRIT attorneys insisted that Mr. Jones pay \$234,000 in back rent before any further discussions about retrieval of his boat. Later the attorneys dropped the back rent issue as a contingency for the boat retrieval, but demanded transportation and impound charges before release of the boat. As Mr. Jones cannot afford the charges, CRIT still retains possession of his boat.

Shortly after Mr. Jones' boat was confiscated, I contacted RCS tribal liaison, Lt. Ray Wood. The lieutenant explained that CRIT had called out RCS to assist in a 12-hour abandonment posting two days before the boat was removed from the property. He referred me to the CRIT tribal ordinance that authorizes this action. He explained that although RCS was not on site for the removal of the boat, they were aware that the property was being confiscated by the tribes.

Subsequent to contacting the Sheriff's tribal liaison I contacted RCS Chief Rodney Vigue. Chief Vigue explained some very troubling attitudes and department policies regarding residents of the disputed area. Particularly troubling is the expressed belief that CRIT not only has jurisdiction, but that any tribal ordinance which purports to take action based on a "civil" matter is of no consequence to the RCS. I reminded the Chief that the tribal ordinance that was used to confiscate Mr. Jones' boat includes mobile homes. I then asked him if RCS would simply stand and watch CRIT confiscate mobile homes. The Chief replied that it is the duty of RCS to "keep the peace". He further suggested that if the residents have issues with CRIT that they should resolve those issues directly with the tribes.

We as California taxpayers are perplexed that RCS would yield to tribal jurisdiction knowing that the land is clearly in dispute. The tribes themselves recognize this fact because they signed the 1999 *AZ v CA* agreement which recognizes that the boundary dispute is unresolved. Yet it appears that California and Riverside County will refuse protections to its citizens, apparently intimidated by the federal nature of the dispute, subjecting us to strong-arm tactics by the tribes. Particularly distasteful is the role of the RCS in the Ron Jones matter that clearly borders on extortion, making RCS an accomplice or at least complicit in this illegal activity.

Supervisor Wilson was very helpful to us several years ago. We are hopeful that you will pick up where he left off. We offer our appreciation in advance of your assistance.

Sincerely,



Roger L. French
President

cc: Cheryl Schmit, Stand Up for California
Congresswoman Mary Bono Mack, California 45th District
Chief Rodney Vigue, Riverside County Sheriff
Stanley Sniff, Riverside County Sheriff-Coroner
Rodney McVey, Bureau of Indian Affairs